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Note verbale dated 29 November 2004 from the Permanent Mission of Croatia to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of the Republic of Croatia to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to Security Council resolution 1540 (2004) and, with reference to his note verbale, has the honour to transmit herewith the report of the Republic of Croatia on the implementation of Security Council resolution 1540 (2004) (see annex).

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Annex to the note verbale dated 29 November 2004 from the Permanent Mission of Croatia to the United Nations addressed to the Chairman of the Committee

Report of the Republic of Croatia on the implementation of Security Council resolution 1540 (2004)

The Republic of Croatia welcomes all international efforts contributing to the prevention of proliferation of weapons of mass destruction (WMD), including Security Council resolution 1540 (2004), adopted on 28 April 2004.

The prerequisites to reducing the WMD threat are joining the multilateral regimes for disarmament and prevention of WMD proliferation, implementing international agreements in this respect, facing the threats and eliminating them before they fully evolve, and building capacities for an appropriate response and minimization of possible effects of attacks.

Only a strong international cooperation can reduce the possibility of WMD and its equipment and technology falling into the hands of terrorists. Croatia supports the view that the efforts in preventing WMD proliferation must be global, flexible and focused on anticipating possible developments. In addition to multilateral forms, such as the cooperation within the framework of the UN, OSCE, EAPC, and NATO/PfP, Croatia has positive experience in regional (Stability Pact, SEDM) and bilateral cooperation in the prevention of WMD proliferation.

Based on such experience, Croatia supports further programs of assistance for improving the control of arms exports, strengthening border security, re-evaluating and improving legal regulations, intensifying the exchange of information, and sensitizing the public to the issue of proliferation.

Croatia is an active participant and a party to a number of international legal instruments concerning arms control and non-proliferation.

Croatia holds that preventing the proliferation of all arms, particularly the weapons of mass destruction and their means of delivery, dual use goods, as well as small arms and light weapons, is a top priority and a prerequisite to efficiently fighting international terrorism and other security threats.

LEGISLATIVE ACTION

Control of export and import

The export and import of arms and dual use goods are regulated by a Government Ordinance. The Ministry for Economic Affairs, Labor and Entrepreneurship is responsible for issuing import/export licenses for arms and military equipment for commercial purposes and for dual use goods, following the opinion of the Inter-agency Commission. In the last twelve months, the Commission has greatly improved its operation in terms of creating better databases, controlling the authenticity of documentation more efficiently, and increasing international cooperation. In July 2004, the Law on Control of Dual-Use Goods Export was passed. The regulation containing a List of Dual Use Goods

will be issued by the Government in accordance with the EU Council Directive 149/2003 of 27 January 2003.

Croatia's priorities in the next period will be to incorporate the issue of trade mediation without export or import into the national legislation (beginning in the autumn of 2004 and ending in 2005) and to continue institutional capacity building for an efficient control of export and import (including brokering), and to further intensify international cooperation in this respect.

Border management and security

Within the framework of the 2001 CARDS Twinning Project for Integrated Border Management/Police, the new Law on State Border Control was prepared and fully harmonized with the EU legislation. The Law entered into force in November 2003. All by-laws have been prepared and should be adopted by the end of 2004. In accordance with the new Law and the results of the above-mentioned project, the Government is to issue an Ordinance on the Internal Organization of the Ministry of the Interior, and already at the end of 2004 and at the beginning of 2005, the reorganization and re-staffing of the border police at regional and local levels will begin. Pursuant to the Law, the Strategy for the Development of Border Police in terms of organization, staffing, education and technical matters has been developed.

EXECUTIVE ACTION

Border management and security

Currently, Croatia is implementing changes in the police standards concerning border security, with a view to meeting the criteria and other requirements necessary to achieve compatibility with the Schengen criteria.

Within the 2001 CARDS, an analysis has been undertaken concerning the situation and the needs for technical equipment, the list of priorities and minimum Schengen standards for border crossings. Within the 2004 CARDS, the project for the Modernization of State Border Control has been nominated and approved, and now project documentation is being prepared. Within the 2005 PHARE, a project for continuing to equip the border police has been proposed. The National Budget has also envisaged an allocation for the technical equipment of border police.

The Agreement on Transborder Cooperation with Slovenia is in place and its implementation is good. Croatia is also negotiating the signing of such an Agreement with Bosnia and Herzegovina, and has initiated signing it with the Republic of Hungary. Within the 2003 CARDS, a concept of international border police cooperation will be developed, as well as the concept for setting up joint contact services and the exchange of liaison officers. This way, Croatia intends to include and regulate the entire trans-border police cooperation.

By the end of the year, the Cooperation Agreements between the Republic of Croatia and the Republic of Bulgaria, as well as and the Republic of Macedonia in the context of rapprochement and accession to the European Union are expected to be ratified. Their implementation will contribute to the

harmonization with the EU in the fields of migrations (legal and illegal), asylum, border cooperation, combating trans-border crime, harmonizing legislation, and readmission agreements.

Croatia welcomes all forms of bilateral and multilateral cooperation in border management and security. Croatia is participating in several multilateral initiatives aimed at strengthening border services and trans-border cooperation (jointly with NATO, EU, Stability Pact, and OSCE), and it also cooperates and maintains contacts at the level of experts with all the neighboring countries, including the exchange of information, as one of the most important forms of cooperation.

The initiative which led to establishing the Ohrid Border Process was strongly supported by Croatia. It is an important forum for regional cooperation and a means to evaluate the readiness and the level of expertise in the countries of Southeast Europe in terms of border management and security. Croatia is focusing on the programs offered by multilateral partners in the Process (NATO, EU/EC, Stability Pact, OSCE) which correspond with its specific needs, and has put its experts for border issues at disposal.

Since April 2003, the NCB (Interpol) Zagreb has been working on System I-24/7 and has also been included in obtaining advanced IT equipment through the EC/CARDS Interpol Balkan Project.

Within the 2001 CARDS Twinning Project for Integrated Border Management-Interagency Cooperation, the Draft Strategy for Integrated Border Management has been developed. By the end of 2004, the plan for its implementation will be completed, and its implementation will begin in early 2005. The Strategy will contribute to a better cooperation between all the border services, consisting of three parts: international cooperation, inter-agency cooperation, and cooperation within an individual service.

Croatia's priorities in the next period will include building general institutional capacities in relation to border security. Within the 2002 CARDS Twinning Project for the Development of National IT System for Border Management - Phase I, Croatia plans to set up a central base of the system to which the border crossings at Bajakovo and the Zagreb Airport will be linked. The implementation is expected to begin towards the end of 2004, and it will take 24 months. Upon the completion of this project, the next phase will be to link several border crossings to this system. The project has been approved within the 2003 CARDS.

INTERNATIONAL INSTRUMENTS

Croatia is a contracting party and an active party to most important international treaties and conventions, and a signatory to the documents on non-proliferation of weapons for mass destruction and conventional weapons, export and import control, arms control and anti-mine action: Nuclear Non-Proliferation Treaty (NPT); Convention on Physical Protection of Nuclear Material (CPPNM); Comprehensive Nuclear Test-Ban Treaty (CTBT); Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction(CWC); Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on their Destruction ; Hague Code of Conduct against Ballistic Missile Proliferation (HCOC); Vienna

Document 99 (VD 99); Agreement on Subregional Arms Control (ASAC). Croatia has accepted the principles contained in the EU Code of Conduct for Arms Exports.

Croatia has applied for the Missile Technology Control Regime (MTCR), as well as for the Wassenaar Arrangement on Export Controls for Conventional Arms and Dual Use Goods and Technologies (WA), and has also expressed its interest in joining the Australia Group, the Nuclear Suppliers Group, and the Zangger Committee.

ARMS CONTROL

The cooperation in the implementation of the Agreement on Subregional Arms Control - ASAC (Annex 1B to the Dayton Peace Agreement) has produced very significant results and has contributed to the fact that the parties have come much closer to the basic goal of the Agreement: establishing new forms of cooperation in security, aimed at achieving transparency, encouraging trust, and attaining balanced and stable minimum levels of defense force necessary for the security of individual parties to the Agreement. Croatia is fully committed to all forms of cooperation within the ASAC, and it is ready to consider proposals for further improvement of arms control mechanisms on subregional and regional levels.

Croatia continues to actively support and contribute to confidence and security building measures (CSBM) in Southeast Europe. It is regularly fulfilling its obligations under Vienna Document 99.

In connection with Article V of Annex 1B to the Dayton Agreement, Croatia has offered a quota of four additional inspections on its territory, two of which have already been conducted by the Republic of Hungary and the Republic of Macedonia. Croatia has expressed its readiness to consider the possibility of extending the cooperation to other mechanisms within Article V.

Croatia supports further active approach to CSBM within other international fora as well, such as the OSCE Forum for Security Cooperation. RACVIAC is one of the most appropriate places in the Southeast European region where such measures can be practically implemented. From the year 2005 on, Croatia will actively join the Open Skies Treaty.

Croatia's priorities in the following period will be to work on further promotion of confidence and security building measures through the activities contributing to institutional capacity building in the states of the region to enable them to face security challenges such as fighting international terrorism.

TECHNICAL ASSISTANCE TO OTHER STATES

Croatia strongly supports regional cooperation, being an active participant in the Stability Pact, SEDM, SECP, and RACVIAC, with their programs for fighting international terrorism. Croatia expresses its interest in securing - particularly within the framework of the U.S.-Adriatic Charter, the Proliferation Security Initiative, and also within the aforementioned initiatives in the states of the region - the transfer of its expertise and experience, with the Ministry of the Interior currently in the forefront, and the Ministry of Defense having formed special groups for supporting defense reforms in

Bosnia and Herzegovina and Serbia and Montenegro. The defense reforms in these states should bring them closer to the standards and membership of Euroatlantic structures and enable them to face the security challenges of today, such as international terrorism.

Croatia hosted important international events related to weapons of mass destruction (e.g. the first exercise within OPCW Assistex took place in Croatia, as well as a series of seminars on CBMTS Industry I, II, III). Croatia intends to continue such practice in future.

FUTURE PRIORITIES

With a view to efficiently preventing the proliferation of weapons for mass destruction, Croatia has joined, is about to join, or is considering joining, all relevant international mechanisms. Croatia has supported the Proliferation Security Initiative (PSI), as one of the most appropriate processes focused on concrete action, and the Statement of Interdiction Principles, expressing readiness to actively contribute to the operation of the Initiative, within the bounds of its institutional possibilities and of its national legislation.

The goal is to strengthen the national security of the Republic of Croatia, and to contribute to international efforts in preventing WMD proliferation. In order to achieve this objective, an inter-agency working body for WMD issues will be set up, and the national WMD-related resources, competencies and capacities will be registered; bilateral consultations with international partners will be organized, possible improvements in the national legislation and specific areas of cooperation and possible contribution of the Republic of Croatia will be defined.

One of the possibilities under intensive consideration is cooperation within the U.S.-Adriatic Charter in preventing the proliferation of WMD.

The Agreement with OPCW (Organization for the Prohibition of Chemical Weapons) on providing a platoon for radiological, biological and chemical decontamination is being prepared. The platoon would respond in case of a chemical incident. It is the same platoon for response within NATO.

Zagreb, November 2004